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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
|-----------------|-------------|----------------------|---------------------|------------------|

10/756,444

01/12/2004

Balaji Vembu

042390.P18507

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12/18/2008

INTEL/BSTZ

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EXAMINER

PERUNGAVOOR, VENKATANARAY

ART UNIT

PAPER NUMBER

2432

MAIL DATE

DELIVERY MODE

12/18/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|---------------------------------------|--------------------------------------|--|
| Office Action Summary | Application No. 10/756,444 | Applicant(s) VEMBU, BALAJI | |
| | Examiner Venkat Perungavoor | Art Unit 2432 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 September 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,6-12 and 14-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4,6-12 and 14-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1, 6, 10, 15, 18 are rejected under 35 U.S.C. 102(a) as being anticipated by Schneier (portion of Chapter 22, section 7; pages 524-525; hereinafter referred to as NPL).

Regarding Claim 1, 10, 18, NPL discloses generating, by the first entity, a first key, encrypting the first key with a public key of a TPM, the TPM having at least three registers, the TPM separate from the first and second entities and having a public/private key pair, and storing the encrypted first key in a first register of the TPM see Page 525, equation (1);

generating, by the second entity, a second key, encrypting the second key with the public key of the TPM, and storing the encrypted second key in a second register of the TPM, see Page 525, equation (3);

decrypting, by the TPM, the encrypted first key stored in the first register and the encrypted second key stored in the second register, using the TPM's private key to obtain the first key and the second key, see Page 525, equation (4);

encrypting, by the TPM, the first key using the second key, and storing the first key encrypted by the second key in a third register of the TPM, see Page 525, equation (2);

obtaining, by the second entity from the third register of the TPM, the first key encrypted by the second key, and decrypting, by the second entity using the second key and a corresponding decryption algorithm, the first key encrypted by the second key, see Page 525, equation (5).

Regarding Claim 6, 15, NPL discloses the pseudo-randomly generated keys see, Page 525, equation (1).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-5, 11-14, 16, 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over NPL in view of US Patent 7142676 to Hiller et al.(hereinafter Hillier).

Regarding Claim 2, 8, 16, NPL does not explicitly disclose communication thorough direct communication. However, Hillier discloses direct communication between originator and recipient after connection see Col 4 Ln 23-27. It would be obvious to one having ordinary skill in the art at the time of the invention to include direct

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communication in the invention of NPL in order to provide a dedicated channel for transfer of keys as taught in Hillier see Col 1 Ln 5-9.

Regarding Claim 3-4, 11-12, 19, 20-21, Hillier discloses the processor, which includes an graphics device and application program see Fig. 1 item 12, 14.

Regarding Claim 5, 13-14, Hillier discloses the trust third party see Col 2 Ln 16-20.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Venkat Perungavoor whose telephone number is (571)272-7213. The examiner can normally be reached on 8:30-5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system.

/V. P./

Examiner, Art Unit 2432
December 11, 2008

/Gilberto Barron Jr/

Supervisory Patent Examiner, Art Unit 2432